DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
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> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 8-9, 14-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Katz et al. (US 2006/0291455 A1).

Regarding claim 8, Katz discloses a method for transmitting a GPRS information from a mobile terminal (figs. 6-16, paragraph 291 comprising: transmitting the GPRS information into a wireless LAN and a Hiperian network (GSM, UTMS)(figs. 6-16); exchanging IP packets with an IP serving GPRS support node (SGSN) in a GPRS and/or UMTS network (paragraphs 30-31, 268, 631), and further including means which enables communication with a mobile terminal via the GPRS via an IP tunnel in the IP network (paragraphs 281, 291, 518); transmitting the GPRS information from the mobile terminal into a radio network (figs. 6-16); handing off the information between different network types (paragraphs 68, 70, 365-366); optimizing utility a mechanism of prediction the future trend of connection quality of the different network types (paragraphs 76, 80-86, 103-104, 337, 352, 358, 366, 375, 396, 408, 520, 595-598).

Regarding claim 14, Katz discloses a mobile terminal (42, 52 of figs. 6-16) having means for communication in an IP network, in a WLAN and Hiperian network, and means that enable information to be exchanged via GPRS through an IP tunnel (figs.6-16, paragraphs 30-31, 281, 291, 268, 518, 631).

Regarding claim 20, this claim is rejected for the same reason as set forth in claim 8, wherein a software stored in a readable medium for executing the method step is inherently in the mobile terminal of Katz.

Regarding claim 9, Katz further discloses a gateway functionality (pars. 59, 62, 222, 248, 249, 250) and routing the information into networks (pars. 185, 240, 307, 507, 520, 576, 634).

Regarding claims 15 and 22, Katz further discloses the terminal supporting both wireless LAN and UTMS and GSM (figs. 6-16, pars. 30-31, 631).

Regarding claim 16, Katz discloses an address of the mobile terminal is used in the IP for routing or transferring packet (pars. 307, 653, 660) which is obvious the mobile terminal includes means to convert the address, and since the packet of Katz is transmitted on the Internet, wherein the Internet packet communication as taught by Katz is obviously comprised versions IPv4 to IPv6 which is known to those skilled in the art.

Regarding claim 17, Katz further discloses encrypting on the GPRS or IP (pars. 13, 246-248, 251, 254, 264-266, 275, 281, 631-632, 636, 640, 653).

Regarding claim 18, Katz further discloses authenticating the mobile terminal (pars. 62, 186, 222-223, 226-229, 237, 246-254, 265-267).

Regarding claim 19, Katz further disclose software layer that enables the functionality to access an IP stack (figs. 8-10, 13-16, pars. 32, 35, 205, 248, 289, 291, 367).

Regarding claim 21, Katz disclose a software for executing the method step in the IP packet transmission between the mobile terminal and the GPRS support node wherein a data structure is loaded into the mobile terminal (pars. 237, 259, 261, 263, 282-283, 660).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 5-7, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz et al. (US 2006/0291455 A1) in view of Hind et al. (US 2004/0136358 A1).

Regarding claim 1, Katz discloses a method for transmitting a GPRS information from a mobile terminal (figs. 6-16, paragraph 291 comprising: transmitting the GPRS information into a wireless LAN and a Hiperian network (figs. 6-16); exchanging IP packets with an IP serving GPRS support node in the IP network (paragraphs 281, 291, 518); establishing and transmitting information through a tunnel between the MT and the GPRS support node in the basis of IP packets (paragraphs 281, 291, 518), wherein

the IP serving GPRS support node is connected via the IP network to further serving GPRS support nodes (figs. 6-16); transmitting the GPRS information from the MT into a radio network, such as a GSM or an UMTS (paragraphs 30-31, 268, 631); handing off the information between different network types (paragraphs 68, 70, 365-366); optimizing utility a mechanism of prediction the future trend of connection quality of the different network types (paragraphs 76, 80-86, 103-104, 337, 352, 358, 366, 375, 396, 408, 520, 595-598). It should be noted that the IP packet network as taught by Katz is obviously comprised of repacking or unpacking the information in order to send/receive the information via a tunnel which is known to those skilled in the art. it also should be noted that Katz discloses the information is transmitted to the tunnel (paragraphs 281, 286, 291, 294, 333, 518, 571). However, Katz fails to teach a tunnel directly connected between a mobile terminal and a service node.

Hind discloses an IP packet communication network (abstract, figs. 7-8), comprising: establishing a tunnel between a mobile terminal and a service node (figs. 7-8, pars. 22, 66, 69, 77-78). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Katz, modified by Hind in order to speed up the transmission packet/voice in the communication network.

Regarding claim 2, Katz discloses the mobile terminal (42, 52 of figs. 6-16) transmits/receives the packet information in the GPRS, which means the mobile terminal inherently includes a software program for unpacking the information.

Regarding claim 3, Katz further discloses authenticating the mobile terminal (pars. 62, 186, 222-223, 226-229, 237, 246-254, 265-267).

Regarding claims 5, 10, Hind further discloses mapping IP address (pars. 25, 50, 63, 64, 66, 67-81), wherein the IP address is obviously mapped in a VLR which is known to those skilled in the art.

Regarding claims 6, 11, Katz further discloses performing a handover on the IP and the GPRS depending on the network in which the mobile terminal is located (paragraphs 337, 358, 509, 511, 520, 568, 595, 604, 614) which means the handover performance based on an IP level or a GPRS level.

Regarding claims 7 and 12, Katz further discloses encrypting on the GPRS or IP (pars. 13, 246-248, 251, 254, 264-266, 275, 281, 631-632, 636, 640, 653).

5. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz et al. (US 2006/0291455 A1) in view of Hind et al. (US 2004/0136358 A1) as applied to claim 8, and further in view of Forslow (6,937,566).

Regarding claims 4, 13, Katz discloses the network broadcasting information to a mobile terminal for a system access (pars. 496,561). However, Katz fails to teach the broadcast in order the mobile terminal to establish a tunnel.

Forslow discloses the same type of invention, in which broadcast messages are used to seek an IP serving GPRS in a IP network in order to establish a tunnel (column 9 lines 34-45, column 10 lines 1-3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified Katz, modified by Forslow in order to reach a plurality of mobile terminals with a single message which is potentially save time as well to free up the channel bandwidth.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (571) 272-7894. The examiner can normally be reached on Monday-Friday from 7:00 AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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